

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

THE HUNTINGTON NATIONAL BANK, Plaintiff	:	Case No.: 2:12 CV 937
	:	
vs.	:	Judge Watson
	:	
TAYLOR BUILDING PRODUCTS, INC., Defendant	:	
	:	

**THIRD INTERIM APPLICATION FOR ALLOWANCE OF COMPENSATION FOR
THE RECEIVER AND ATTORNEYS TO THE RECEIVER FOR THE PERIOD OF
FEBRUARY 1, 2013 THROUGH APRIL 30, 2013**

Now comes Bill Frazier of Raintree Capital Partners, LLC, the Court-appointed Receiver for certain assets of Taylor Building Products, Inc. (herein “Receiver”), by and through counsel, hereby applies for approval of compensation earned and for reimbursement of expenses to the Receiver and attorneys for the Receiver for the period of February 1, 2013 through April 30, 2013.

I. GENERAL INFORMATION

A. This case was initiated through the filing of a Complaint for the Appointment of a Receiver filed on October 11, 2012. At the request of Plaintiff, The Huntington National Bank (“HNB”), the Court appointed the Receiver pursuant to an Order entered on October 15, 2012 (herein “the Order”) (Doc. 8).

B. Strip, Hoppers, Leithart, McGrath & Terlecky Co., LPA (the “Firm”) is the Court-appointed attorney for the Receiver, appointed on the same day as the Receiver, within the Order.

C. Since the previous application, the Applicants have expended time and resources during the course of this complex and substantial receivership case to further the interests of the

receivership estate and the creditors of Taylor Building Products, Inc. (herein "Taylor"). Applicants submit this application for compensation of such services and reimbursement of expenses.

D. All services rendered for which Applicants request compensation were performed or incurred for or on behalf of the receivership estate. The services described in this application were actual, necessary services and the compensation requested for those services is reasonable.

E. Pursuant to the rules of Court, a copy of this Fee Application is being served upon all parties that have appeared in this case.

II. INFORMATION REGARDING PROPOSED COMPENSATION

A. Receiver's Fees and Expenses:

Application period: February 1, 2013, through April 30, 2013

Requested Fees:	\$	\$13,948.67
<u>Expenses:</u>	\$	<u>0</u>
Total	\$	\$13,948.67

Attached as Exhibit "A" hereto is time and billing detail of the Receiver, showing 37.5 hours worked at \$350.00 per hour (\$13,125.00). Exhibit "B" summarizes the accounts receivable collection work performed by Wetterston Management and Consulting (herein "Wettersten"), as agent of the Receiver. As noted herein, during this third billing period, \$4,118.36 were collected. The Receiver seeks approval to pay \$823.67 (20% of the collected amount) to Wettersten, consistent with the agreement between them and as set forth in the Receiver's initial fee application. The proposed compensation to Wettersten is included within the "requested fees" set forth above.

B. Firm's Fees and Expenses:

Application period: February 1, 2013, through April 30, 2013

Requested Fees:	\$	7,235.00
<u>Expenses:</u>	\$	<u>0</u>
Total	\$	7,235.00

Attached as Exhibit "C" are billing statements for the Firm setting forth: (a) the dates on which the work was performed; (b) a description of the work performed; and (c) the name of each individual performing the work. Attorney time has been billed at the following hourly rates: (a) Myron Terlecky - \$250.00 per hour ($\$250.00 \times 4.45 = \$1,112.50$); (b) Aaron Firstenberger - \$200.00 per hour ($\$200.00 \times 30.5 = \$6,100.00$). The billing statements also include a \$5.00 charge for the Firm's court "runner", and a \$17.50 charge for advances to the Federal District Court Clerk. A total of 34.95 hours were worked at the respective rates, resulting in \$7,235.00 in total fees.

C. Certification of Review, and Billing Standards:

Reviews of the fee and expense itemizations have been conducted, and any unnecessary or excessive expenses or duplicative services have been adjusted. The Applicants recorded their services contemporaneously with performance and records of such services. Applicants represent that they have submitted hours to the Court that represent only the actual time incurred in the matters described therein. If the Court believes that the description of services rendered is inadequate, it is requested that a hearing be held to permit Applicants an opportunity to detail the services rendered for any entry in question.

III. CONCLUSION

Based upon the foregoing, the Receiver and the Firm respectfully request that this Court issue an Order as follows:

- a. allowing the Receiver's interim compensation as set forth above and approving payment in the amount of \$13,948.67 for fees;
- b. allowing the Firm's interim compensation and approving payment for the services rendered to or on behalf of the Receiver as set forth above in the amount of \$7,235.00 for fees;
- c. authorizing the Receiver to disburse from the receivership estate to the Applicants the allowed compensation at such time that the Receiver deems appropriate; and
- d. granting such other relief to which the Court determines the Applicants to be entitled.

Respectfully submitted,

/s/ Myron N. Terlecky
Myron N. Terlecky (0018628)
Aaron C. Firstenberger (0072261)
Strip, Hoppers, Leithart, McGrath & Terlecky Co., LPA
575 South Third Street
Columbus, OH 43215
Telephone (614) 228-6345
Facsimile (614) 228-6369
Attorneys for the Receiver

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the aforementioned *Third Interim Application For Allowance of Compensation To The Receiver and Attorneys For Receiver For The Period of February 1, 2013 Through April 30, 2013* been served via the Court's electronic filing system and/or ordinary United States Mail, postage prepaid, on this 7TH day of May, 2013 upon:

Bill Frazier
Raintree Capital Partners
17892 Clifton Park Lane
Cleveland, OH 44107
As Receiver

Maggie M. Abbulone, Esquire
Robert T. Castor, Esquire
Justin W. Ristau, Esquire
Bricker & Eckler
100 South Third Street
Columbus, OH 43215
Counsel for Plaintiff, The Huntington National Bank

Kristin S. Watson, Esquire
Cloppert, Latanick, Sauter & Washburn
225 East Broad Street
Columbus, OH 43215
Counsel for Claimants, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America and UAW Local 1637

Brian Gianangeli, Esquire
The Law Office of Charles Mifsud, LLC
326 South High Street Annex, Suite 201
Columbus, OH 43215
Counsel for the Ohio Bureau of Worker's Compensation

Ignazio Cangialosi
417 Saddle Back Trail
Franklin Lakes, NJ 07417

Taylor Building Products, Inc.
c/o Tobin Mann, statutory agent
3010 Columbus-Lancaster Road
Lancaster, OH 43130

Arthur M. Neiss, Esq.
Beattie Padovano, LLC
50 Chestnut Ridge Rd., #208
P.O. Box 244
Montvale, NJ 07645

/s/ Myron N. Terlecky
Myron N. Terlecky (0018628)
Aaron C. Firstenberger (0072261)



Mail payments to:
Raintree Capital Partners, LLC
17892 Clifton Park Lane
Lakewood, OH 44107

216.227.1981
216.299.0300

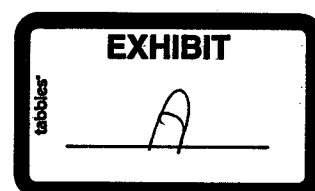
Hon. Michael H. Watson
United States District Court Southern District of Ohio
Re: Case No. 2:12-cv-00937
Huntington National Bank
Vs.
Taylor Building Products, Inc.

Invoice for professional services related to the Taylor Building Products Receivership

Invoice 300026
Date: 5/01/2013

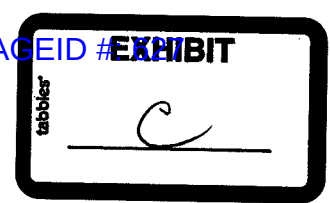
Professional Services:
Bill Frazier: 37.5 hours @ \$350: \$13,125.00

Total: \$13,125



13-Feb	3.5	Reconciliation of cash receipts and disbursements to line of credit activity, change in cash
14-Feb	2.5	Reconciliation of cash receipts and disbursements to line of credit activity, change in cash
15-Feb	2.5	Reconcile change in lockbox balance to change in A/R balance. Recalculate cash on hand after deposits, plan disbursements.
19-Feb	3.5	Review all liabilities of estate remaining unpaid. Prepare analysis.
20-Feb	6.5	Disbursements to trade creditors. (5.0) Conf call w/ counsel re Thornton lawsuit, claim of discrimination, remaining liabilities of estate, settlement of healthcare claims, insurance. (1.5)
21-Feb	2.5	Final edits and changes to Receiver's report
22-Feb	3.5	Transfer remaining invoices off of a/r aging to separate spreadsheet. 1.5 hrs. Review the Report from counsel. Review legal filings including Thornton lawsuit and discrimination lawsuit. Send documents to counsel. 1.5 hrs. Interface with branch personnel at PNC to try to get accounts closed 0.5 hrs.
25-Feb	0.5	Resolution of intercompany A/R issues
26-Feb	1.0	review affidavit provided by counsel for EEOC response. Discuss document w/ H.Valley, make proposed changes.
7-Mar	1.0	reviewed lockbox receipts to compare to o/s A/R. Confirmed all cash has been posted. 0.5 hrs. Call outstanding account debtors. 0.5 hrs.
8-Mar	1.5	Calls with Mark Lasher of Straits Door and Dan O'Hara of ProHung Door 1.0 hr. Resolution of issues with Consolidated Builders and Capital Components 0.5.
15-Mar	1.5	collection calls with past due account debtors. Negotiate settlement with Pro Hung Door. Communicate with Wausau re Pro Hung. Post cash received.
20-Mar	0.5	Called accounts with invoices o/s. LMTC for Dan at ProHung advising not to ship.
21-Mar	1.5	Settled Pro Hung account (0.5). Drafted a spreadsheet illustrating final settlement of the estate (1.0).
22-Mar	1.0	Review BCBS calculation and confer with counsel 0.5 hrs. Conference call w bank counsel re BCBS response
2-Apr	2.0	Teleconference with representatives of the UAW and BCBS of Michigan to review BCBS proposal for continuation of coverage. Follow up call with counsel
29-Apr	2.8	Conference call with Michelle Carter re: cancellation of insurance policies (0.5). Review of counsel's draft of Order re Union's request for payment of healthcare claims, draft suggested changes (2.0). Prepare final disbursement to Wausau (0.25)

Final Billing			
check #	Date	Payment Amt	Total Paid
29440	2/11/2013	\$2,440.76	\$2,440.76
5239	1/25/2013	\$1,677.60	\$1,677.60
			\$4,118.36
			\$823.67



STRIP, HOPPERS, LEITHART, McGRATH & TERLECKY
 A LEGAL PROFESSIONAL ASSOCIATION
 575 SOUTH THIRD STREET
 COLUMBUS, OH 43215-5759
 (614) 228-6345

Taylor Building Products, Inc.
 c/o Bill Frazier, Receiver
 Raintree Capital Partners
 17892 Clifton Park Ln.
 Cleveland OH 44107

Page: 1
 04/30/2013
 ACCOUNT NO: 15036-000M
 STATEMENT NO: 6

Attorney for Receiver

PREVIOUS BALANCE \$22,417.50

HOURS

04/01/2013	CORRESPONDENCE WITH AND TELEPHONE CONFERENCE WITH RECEIVER RE: ACCOUNTS RECEIVABLE AND UNION MEDICAL CLAIMS	0.50	125.00
	TELEPHONE CONFERENCE WITH ATTORNEY GRIFFITHS RE: INSURANCE CLAIM	0.10	25.00
04/05/2013	RECEIPT AND REVIEW OF DISTRICT COURT LAWSUIT FILED BY FORMER LANDLORD	0.20	50.00
	ATTENTION TO SETTLEMENT PARAMETERS RE: UNION MEDICAL CLAIMS	0.25	62.50
04/18/2013	CONFERENCE WITH ATTORNEY FIRSTENBERGER RE: UNION CLAIMS	0.20	50.00
04/19/2013	TELEPHONE CONFERENCE WITH MR. FRAZIER RE: MEDICAL CLAIMS ISSUE	0.25	62.50
04/23/2013	DRAFTING REVISIONS TO UNION MOTION	0.40	100.00
04/25/2013	TELEPHONE CONFERENCE WITH ATTORNEY LAVELLE RE: THORSON & ROBERTSON LAWSUIT	0.25	62.50
04/30/2013	REVISED MOTION TO PAY MEDICAL CLAIMS	0.30	75.00
	Myron N. Terlecky	2.45	612.50
04/01/2013	TELEPHONE CONFERENCE WITH COURT RE: STATUS OF FEE APPLICATION; TELEPHONE CONFERENCE WITH B. FRAZIER RE: SAME; CONFERENCE WITH ATTY TERLECKY RE: UNION HEALTH CARE CLAIMS STATUS	0.30	60.00
04/02/2013	TELEPHONE CONFERENCE WITH RECEIVER RE: UNION HEALTH CARE CLAIMS; REVIEW CORRESPONDENCE FROM ATTY TERLECKY RE: FAIRFIELD COUNTY LAWSUIT; QUERY SCOPE OF HNB SECURITY INTEREST; COORDINATION OF CONFERENCE CALL ON UNION MATTER; REVIEW CORRESPONDENCE ON FAIRFIELD		

Taylor Building Products, Inc.

04/30/2013

15036-000M

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ACCOUNT NO:

STATEMENT NO:

Attorney for Receiver

HOURS

	COUNTY LAWSUIT FROM HNB; PREPARATION FOR AND ATTENDANCE ON CONFERENCE CALL WITH BLUE CROSS AND UNION REPS RE: HEALTH CARE FEES OF EMPLOYEES	2.40	480.00
04/03/2013	REVIEWED BACKGROUND ON UNION HEALTH CARE MATTER FROM DISCUSSION WITH RECEIVER; DRAFTING TERMS SHEET FOR SETTLEMENT; FOLLOW UP ON STATUS OF FEE APPLICATION	0.90	180.00
04/04/2013	REVIEWED CLIENT EDITS TO UNION HEALTH CARE TERM SHEET; RESPONSE TO SAME	0.30	60.00
04/05/2013	FINAL REVISION TO TERM SHEET FOR UNION HEALTH CARE CLAIMS; MEMO TO BANK COUNSEL RE: SAME; TELEPHONE CONFERENCE WITH B. FRAZIER RE: QUESTION ON MECHANICS OF HEALTH CARE PROCESSING; REVIEW RESPONSE FROM ATTY CASTOR ON PROPOSAL	0.70	140.00
04/08/2013	CORRESPONDENCE WITH BANK AND RECEIVER RE: HEALTH CARE SETTLEMENT; REVISION TO TERMS SHEET	0.50	100.00
04/09/2013	REVIEWED CLIENT FINANCIAL PROJECTION AND PROJECTION OF REMAINING ADMINISTRATIVE COSTS	0.20	40.00
04/10/2013	REVIEWED COMPLAINT FILED BY THORNTON & ROSHON IN FEDERAL COURT; REVIEWING DOCKET FOR SAME	0.50	100.00
04/11/2013	ATTENTION TO CLIENT FINAL BILLING	0.10	20.00
04/16/2013	REVIEWED UPDATE ON BILLING AND FINANCE PROJECTIONS; ATTENTION TO NOTICE OF RECEIVERSHIP AND STAY FOR NEW THORNTON LAWSUIT FILED	0.40	80.00
04/17/2013	ATTENTION TO STAY OF THORNTON COMPLAINT; UPDATE ON UNION HEALTH CARE CLAIMS	0.20	40.00
04/18/2013	TELEPHONE CONFERENCE WITH R. SNYDER RE: UNION HEALTH CARE CLAIMS; UPDATE RECEIVER RE: COUNTER PROPOSAL	0.40	80.00
04/19/2013	REVIEWED CORRESPONDENCE RE: UNION HEALTH CARE CLAIM NEGOTIATION; CONFERENCE WITH ATTY TERLECKY RE: MOTION TO COURT ON SAME; TELEPHONE CONFERENCE WITH B. FRAZIER RE: SAME	0.50	100.00
04/22/2013	ATTENTION TO HEALTH CARE MOTION AND RESPONSE	0.70	140.00
04/23/2013	WORK ON HEALTH CARE MOTION	1.40	280.00
04/24/2013	ATTENTION TO UNION HEALTH CARE CLAIMS; REVISION TO HEALTH CARE CLAIMS MOTION	1.00	200.00
04/29/2013	REVIEWED LETTER FROM ROSHON COUNSEL RE: INSPECTION OF BUILDING	0.10	20.00

Taylor Building Products, Inc.

04/30/2013

15036-000M

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ACCOUNT NO:

STATEMENT NO:

Attorney for Receiver

HOURS

04/30/2013	FOLLOW UP WITH CLIENT RE: UNION HEALTH CARE MOTION; CORRESPONDENCE WITH CLIENT RE: FEE APPLICATION STATUS; ATTENTION TO THIRD FEE APPLICATION; REVIEW DOCKET; ATTENTION TO REVISION TO HEALTH CARE CLAIM MOTION; CORRESPONDENCE WITH CLIENT RE: SAME; CORRESPONDENCE WITH UNION COUNSEL RE: HEALTH CARE MOTION	1.60	320.00
	Aaron C. Firstenberger	12.20	2,440.00
	FOR CURRENT SERVICES RENDERED	14.65	3,052.50
	TOTAL CURRENT WORK		3,052.50
04/05/2013	PAYMENT THANK YOU.		-18,235.00
	BALANCE DUE		<u>\$7,235.00</u>

TRUST ACCOUNT SUMMARY AS OF 04/30/2013 \$150.51

PLEASE INCLUDE YOUR ACCOUNT NUMBER ON YOUR CHECK

WE ACCEPT VISA/MASTERCARD/DISCOVER PAYMENTS
 PAYMENT METHOD ___CHECK ___VISA ___MASTERCARD ___DISCOVER
 ACCT NUMBER _____ EXP DATE _____ CVV CODE _____
 SIGNATURE _____ AMOUNT \$ _____

STRIP, HOPPERS, LEITHART, McGRATH & TERLECKY
A LEGAL PROFESSIONAL ASSOCIATION
575 SOUTH THIRD STREET
COLUMBUS, OH 43215-5759
(614) 228-6345

Taylor Building Products, Inc.
c/o Bill Frazier, Receiver
Raintree Capital Partners
17892 Clifton Park Ln.
Cleveland OH 44107

ACCOUNT NO:

Page: 1
04/30/2013
15036M

PREVIOUS BALANCE	FEES	EXPENSES	ADVANCES	PAYMENTS	BALANCE
15036-000 Attorney for Receiver 22,417.50	3,052.50	0.00	0.00	-18,235.00	<u>\$7,235.00</u>

PLEASE INCLUDE YOUR ACCOUNT NUMBER ON YOUR CHECK

WE ACCEPT VISA/MASTERCARD/DISCOVER PAYMENTS
PAYMENT METHOD ☐ CHECK ☐ VISA ☐ MASTERCARD ☐ DISCOVER
ACCT NUMBER _____ EXP DATE _____ CVV CODE _____
SIGNATURE _____ AMOUNT \$ _____

STRIP, HOPPERS, LEITHART, McGRATH & TERLECKY
A LEGAL PROFESSIONAL ASSOCIATION
575 SOUTH THIRD STREET
COLUMBUS, OH 43215-5759
(614) 228-6345

Taylor Building Products, Inc.
c/o Bill Frazier, Receiver
Raintree Capital Partners
17892 Clifton Park Ln.
Cleveland OH 44107

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03/28/2013
15036-000M
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ACCOUNT NO:
STATEMENT NO:

Attorney for Receiver

PREVIOUS BALANCE			\$21,182.50
		HOURS	
03/05/2013	OFFICE CONFERENCE WITH ATTORNEY FIRSTENBERGER RE: FAIRFIELD COUNTY LITIGATION AND CLOSING RECEIVERSHIP	0.10	25.00
03/12/2013	TELEPHONE CONFERENCE WITH CNA INSURANCE RE: PENDING LAWSUIT	0.20	50.00
	REVISED ORDER APPROVING SECOND FEE APPLICATION	0.25	62.50
03/13/2013	EMAIL CORRESPONDENCE WITH ATTORNEY DEMARCO RE: THORNTON AND RISTAU LAWSUIT	0.20	50.00
03/21/2013	CORRESPONDENCE WITH ATTORNEY LAVELLE RE: THORSON COMPLAINT AND CNA INSURANCE ISSUES	0.25	62.50
	Myron N. Terlecky	1.00	250.00
03/04/2013	TELEPHONE CONFERENCE WITH CROSSWOODS RE: RECEIVABLE; CORRESPONDENCE WITH CLIENT RE: SAME; ATTENTION TO RECEIVABLES	0.60	120.00
03/05/2013	ATTENTION TO EEOC CLAIM AND RESPONSE; REVIEW UPDATE ON OPEN ACCOUNTS; UPDATE MICHIGAN COUNSEL ON STATUS OF RECEIVERSHIP	0.40	80.00
03/06/2013	CORRESPONDENCE WITH CLIENT RE: NEW DATE FOR ORDER ON SALE; CORRESPONDENCE WITH RECEIVER: CROSSWOODS COLLECTION MATTER	0.20	40.00
03/07/2013	CORRESPONDENCE WITH CLIENT RE: PNC RELEASE OF FUNDS; FOLLOW UP ON CROSSROADS ACCOUNT	0.20	40.00
03/08/2013	ATTENTION TO MOTION TO CANCEL LEASE	0.40	80.00
03/18/2013	UPDATE FROM CLIENT RE: RECEIVABLES; REVIEW LETTER FROM ATTY DeMARCO RE: THORNTON LAWSUIT; TELEPHONE CONFERENCE WITH CNA RE: THORNTON LAWSUIT	0.30	60.00

ACCOUNT NO: 15036-000M
 STATEMENT NO: 5

Attorney for Receiver

HOURS

03/19/2013	QUERY TO RECEIVER RE: AVAYA LEASE; REVIEW STATUS OF MOTION TO REJECT REAL ESTATE LEASE; DRAFT PROPOSED ORDER TO REJECT REAL ESTATE LEASE; TELEPHONE CONFERENCE WITH RECEIVER RE: PROJECTED FINANCES AND DISTRIBUTIONS, UNION HEALTH CARE CLAIMS; LETTER TO ATTY SNYDER RE: HEALTH CARE CLAIMS	1.50	300.00
03/20/2013	CORRESPONDENCE WITH R. SNYDER RE: HEALTH CARE CLAIMS NUMBERS; ADVISE CLIENT OF SAME	0.10	20.00
03/21/2013	CORRESPONDENCE WITH CLIENT RE: STATUS OF COURT FILINGS	0.10	20.00
03/22/2013	REVIEWED BCBS INFORMATION ON HEALTH CLAIMS; TELEPHONE CONFERENCE WITH B. FRAZIER RE: SAME; CORRESPONDENCE WITH ATTY SNYDER RE: SAME; CONFERENCE CALL WITH BANK AND RECEIVER RE: UNION HEALTH CARE ISSUES	1.10	220.00
	Aaron C. Firstenberger	4.90	980.00
03/04/2013	OBTAIN CERTIFIED COPY OF ORDER APPOINTING RECEIVER COURT RUNNER	0.20	5.00
		0.20	5.00
	FOR CURRENT SERVICES RENDERED	6.10	1,235.00
	TOTAL CURRENT WORK		1,235.00
	BALANCE DUE		<u>\$22,417.50</u>

TRUST ACCOUNT SUMMARY AS OF 03/28/2013 \$150.51

PLEASE INCLUDE YOUR ACCOUNT NUMBER ON YOUR CHECK

WE ACCEPT VISA/MASTERCARD/DISCOVER PAYMENTS
 PAYMENT METHOD ☐ CHECK ☐ VISA ☐ MASTERCARD ☐ DISCOVER
 ACCT NUMBER _____ EXP DATE _____ CVV CODE _____
 SIGNATURE _____ AMOUNT \$ _____

STRIP, HOPPERS, LEITHART, McGRATH & TERLECKY
A LEGAL PROFESSIONAL ASSOCIATION
575 SOUTH THIRD STREET
COLUMBUS, OH 43215-5759
(614) 228-6345

Taylor Building Products, Inc.
c/o Bill Frazier, Receiver
Raintree Capital Partners
17892 Clifton Park Ln.
Cleveland OH 44107

ACCOUNT NO:
STATEMENT NO:

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02/28/2013
15036-000M
4

Attorney for Receiver

	PREVIOUS BALANCE		\$18,235.00
		HOURS	
02/13/2013	CORRESPONDENCE WITH RECEIVER RE: PROCEDURE FOR HEALTH CARE CLAIMS	0.20	50.00
02/18/2013	REVIEWED FOR APPROVAL FEE APPLICATION	0.30	75.00
02/21/2013	REVIEW OF FAIRFIELD COUNTY LAWSUIT; CORRESPONDENCE WITH ATTORNEY BANAL RE: SAME; REVISED REPORT OF RECEIVER	0.50	125.00
	Myron N. Terlecky	1.00	250.00
01/31/2013	REVIEWED AND RESPOND TO CORRESPONDENCE RE: GORDON FLESCH LEASE	0.20	40.00
02/04/2013	TELEPHONE CONFERENCE WITH B. FRAZIER RE: REMAINING ADMINISTRATION; CORRESPONDENCE WITH CLIENT RE: RECEIVABLES; UPDATE ATTY TERLECKY ON STATUS OF ADMINISTRATION; TELEPHONE CONFERENCE WITH B. FRAZIER RE: INVENTORY AMOUNT AND DISTRIBUTION OF SAME; FOLLOW UP WITH TITLE COMPANY RE: INVENTORY OF FUNDS	0.70	140.00
02/05/2013	RECEIPT AND REVIEW OF JAFFE LEGAL BILL	0.10	20.00
02/06/2013	CORRESPONDENCE WITH RECEIVER RE: REJECTION OF WELLS FARGO LEASE	0.10	20.00
02/07/2013	FOLLOW UP WITH ATTY SNYDER RE: AMOUNT OF UNION CLAIMS	0.10	20.00
02/08/2013	CORRESPONDENCE WITH B. FRAZIER RE: DISPOSITION OF REMAINING SALE FUNDS; CORRESPONDENCE TITLE COMPANY RE: SAME; CORRESPONDENCE WITH RECEIVER RE: FEE APPLICATION; FURTHER ATTENTION TO SECOND FEE APPLICATION; REVIEW OF FINANCIALS PROVIDED BY RECEIVER	1.00	200.00
02/11/2013	CORRESPONDENCE WITH CLIENT RE: FEE APPLICATION; ATTENTION TO SECOND REPORT; CORRESPONDENCE WITH		

Taylor Building Products, Inc.

02/28/2013

ACCOUNT NO: 15036-000M
STATEMENT NO: 4

Attorney for Receiver

		HOURS	
	CLIENT RE: FINANCIAL INFORMATION FOR SECOND REPORT; CORRESPONDENCE WITH TITLE COMPANY RE: SUMMARY OF DISBURSEMENTS	0.70	140.00
02/12/2013	LETTER TO ATTY NEISS (CANGIALOSI); REVIEW SUMMARY OF DISBURSEMENTS PROVIDED BY TITLE COMPANY	0.20	40.00
02/13/2013	REVIEWED UPDATE FROM CLIENT RE: STATUS OF REPORT AND FINANCIALS	0.10	20.00
02/14/2013	CORRESPONDENCE WITH CLIENT RE: UNION HEALTH CARE CLAIMS	0.10	20.00
02/15/2013	CORRESPONDENCE WITH CLIENT RE: CLASS ACTION MONEYS; TELEPHONE CONFERENCE WITH NATIONAL EQUITY RE: CLASS ACTION PROCEEDS; MEMO TO CLIENT RE: SAME; CORRESPONDENCE WITH ATTY CASTOR RE: NATIONAL EQUITY CLASS ACTION; TELEPHONE CONFERENCE WITH ATTY SNYDER RE: HEALTH CARE CLAIMS; REVIEW RESPONSE FROM ATTY SNYDER RE: SAME	0.80	160.00
02/18/2013	REVIEWED CLIENT INVOICES FOR RECEIVABLES; REVIEW CLIENT REPORT ON FINANCIALS; RESPOND TO SAME; FINAL ATTENTION TO SECOND FEE APPLICATION; ATTENTION TO ORDER SECOND FEE APPLICATION; ATTENTION TO FOURTH REPORT; ATTENTION TO THREE COLLECTION MATTERS; RESEARCH U.S. JURISDICTION OVER CANADIAN COMPANIES	3.20	640.00
02/20/2013	TELEPHONE CONFERENCE WITH CLIENT RE: DISCRIMINATION CLAIM, NEW LAWSUIT, HEALTHCARE CLAIMS AND INSURANCE AT PREMIUM SITE; UPDATE ATTY TERLECKY RE: NEW LAWSUIT, DISCRIMINATION CLAIM	1.10	220.00
02/21/2013	LETTER TO ATTY CASTOR RE: THORNTON LAWSUIT	0.10	20.00
02/22/2013	ADDITIONAL ATTENTION TO FINANCIALS FOR SECOND REPORT, SECOND FEE APPLICATION; CORRESPONDENCE WITH B. FRAZIER RE: SAME; REVIEW OF COMPLAINT FILED BY THORNTON & ROSHON; TELEPHONE CONFERENCE WITH R. SNYDER RE: UNION HEALTH CARE CLAIMS; TELEPHONE CONFERENCE WITH B. FRAZIER RE: FINANCIALS	2.80	560.00
02/25/2013	TELEPHONE CONFERENCE WITH B. FRAZIER RE: PNC REFUSAL TO CLOSE OUT ACCOUNT; REVIEW MEMO FROM H. VALLEY RE: FERRELL DISCRIMINATION CLAIM	0.20	40.00
02/26/2013	REVIEWED AND ANALYZED EEOC CLAIM AND RESPONSE FROM RECEIVER; CORRESPONDENCE WITH RECEIVER RE: AFFIDAVIT FOR RESPONSE; DRAFTING AFFIDAVIT FOR RESPONSE TO EEOC CLAIM; DRAFTING LETTER TO EEOC; TELEPHONE CONFERENCE WITH CLIENT RE: EEOC MATTER	1.50	300.00

Taylor Building Products, Inc.

02/28/2013

ACCOUNT NO: 15036-000M
STATEMENT NO: 4

Attorney for Receiver

		HOURS	
02/27/2013	REVIEWED INFORMATION CONCERNING PARTICIPATION IN CLASS ACTION AGAINST FREIGHT HAULERS, EVALUATION OF POSSIBLE CLAIM; CORRESPONDENCE WITH CLIENT RE: SAME; CORRESPONDENCE FROM CLIENT RE: EEOC AFFIDAVIT	0.40	80.00
	Aaron C. Firstenberger	13.40	2,680.00
	FOR CURRENT SERVICES RENDERED	14.40	2,930.00
02/25/2013	FUNDS ADVANCED TO US DISTRICT COURT		17.50
	TOTAL ADVANCES		17.50
	TOTAL CURRENT WORK		2,947.50
	BALANCE DUE		<u>\$21,182.50</u>

TRUST ACCOUNT SUMMARY AS OF 02/28/2013 \$150.51

PLEASE INCLUDE YOUR ACCOUNT NUMBER ON YOUR CHECK

WE ACCEPT VISA/MASTERCARD/DISCOVER PAYMENTS
 PAYMENT METHOD ☐ CHECK ☐ VISA ☐ MASTERCARD ☐ DISCOVER
 ACCT NUMBER _____ EXP DATE _____ CVV CODE _____
 SIGNATURE _____ AMOUNT \$ _____

STRIP, HOPPERS, LEITHART, McGRATH & TERLECKY
A LEGAL PROFESSIONAL ASSOCIATION
575 SOUTH THIRD STREET
COLUMBUS, OH 43215-5759
(614) 228-6345

Taylor Building Products, Inc.
c/o Bill Frazier, Receiver
Raintree Capital Partners
17892 Clifton Park Ln.
Cleveland OH 44107

ACCOUNT NO:

Page: 1
02/28/2013
15036M

PREVIOUS BALANCE	FEES	EXPENSES	ADVANCES	PAYMENTS	BALANCE
15036-000 Attorney for Receiver 18,235.00	2,930.00	0.00	17.50	0.00	<u>\$21,182.50</u>

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

THE HUNTINGTON NATIONAL BANK,	:	Case No.: 2:12 CV 937
Plaintiff	:	
	:	
vs.	:	Judge Watson
	:	
TAYLOR BUILDING PRODUCTS, INC.,	:	
Defendant	:	

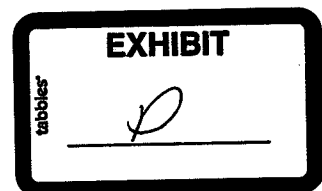
**ORDER GRANTING THIRD INTERIM APPLICATION FOR ALLOWANCE OF
COMPENSATION FOR THE RECEIVER AND ATTORNEYS TO THE RECEIVER
FOR THE PERIOD OF FEBRUARY 1, 2013, THROUGH APRIL 30, 2013**

This matter comes before the Court on the *Third Interim Application for Allowance of Compensation for the Receiver and Attorneys to the Receiver for the Period of February 1, 2013, through April 30, 2013* (the "Application"), filed on May 7, 2013, by Bill Frazier of Raintree Capital Partners, LLC, the Court-appointed Receiver (herein "Receiver") for certain assets of Taylor Building Products, Inc. Through the Application, the Receiver applies for approval of compensation earned and for reimbursement of expenses to the Receiver and attorneys for the Receiver for the period of February 1, 2013, through April 30, 2013 (the "Application Period").

According to the Application and the attached documentation showing the efforts made in this case, the fees earned by the Receiver for the Application Period total \$13,948.67.

Strip, Hoppers, Leithart, McGrath & Terlecky Co., LPA (the "Firm"), attorneys for the Receiver, also seek compensation for fees in the Application Period in the amount of \$7,235.00.

Pursuant to the *Order Appointing Receiver* in this case, the Application was served on those parties appearing in this case or requesting notice of pleadings in this case. A suitable time period for objections to be filed has passed and no objection to the Application has been filed.



Based on the matters contained in the Application, proper service of the Application having been completed, and no objection to the Application having been filed, the Court finds the Application to be well-taken and it is approved. The Court finds that the services provided by the Receiver and the Firm were necessary and proper in the administration of this case. Since being appointed, the Applicants have expended time and resources during the course of this receivership case to further the interests of the receivership estate and the creditors of Taylor Building Products, Inc. All services rendered for which Applicants request compensation were performed or incurred for or on behalf of the receivership estate. The services described in this application were actual, necessary services and the compensation requested for those services is reasonable.

It is therefore ORDERED and DECREED that the Application shall be, and it hereby is, granted, and that the Receiver shall be, and he hereby is, entitled to fees in the amount of \$13,948.67;

It is FURTHER ORDERED and DECREED that the Firm shall be, and it hereby is, entitled to fees in the amount of \$7,235.00;

It is FURTHER ORDERED and DECREED that the Receiver is authorized to make the approved payments at such time as the Receiver deems appropriate out of funds of the Receivership estate.

IT IS SO ORDERED.

DATE: _____

UNITED STATES DISTRICT COURT
JUDGE MICHAEL H. WATSON

SUBMITTED BY:

/s/ Myron N. Terlecky
Myron N. Terlecky (0018628)
Aaron C. Firstenberger (0072261)
Strip, Hoppers, Leithart, McGrath & Terlecky Co., L.P.A.
575 South Third Street
Columbus, Ohio 43215-5759
Telephone: (614) 228-6345
Facsimile: (614) 228-6369
Attorneys for Receiver

Copies to:

Via eFiling:

- Robert Castor, Esq.
- Kristin Watson, Esq
- Brian Gianangeli, Esq.

Via Regular Mail:

- Arthur M. Neiss, Beattie Padovano, LLC, 50 Chestnut Ridge Road, #208, PO Box 244, Montvale NJ 07645.